

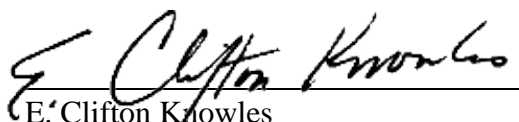
Defendant served a copy of the instant Motion upon Plaintiff on or about August 31, 2012. That filing was also returned marked “Moved, Left No Address, Unable to Forward.”

Docket No. 16. Thus, it does not appear that Plaintiff has received the instant Motion, and the Court does not expect him to respond to it.

The referenced documents were sent to Plaintiff at the address he provided in his Complaint.

For the foregoing reasons, the undersigned recommends that the instant Motion to Dismiss be granted and that this action be dismissed for Plaintiff's failure to prosecute and failure to comply with the Court's previous Order.¹

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.


E. Clifton Knowles
United States Magistrate Judge

¹ Plaintiff's claims against the only other Defendant in this action, the Stewart County Sheriff's Office, have previously been dismissed by Judge Campbell. Docket No. 4.